

CITATION  
STATE OF LOUISIANA

<u>SHELIA A THIBODEAUX</u>	27 <sup>th</sup> JUDICIAL DISTRICT COURT
VS	PARISH OF ST. LANDRY
<u>LOUISIANA CVS</u>	CIVIL NO. C-212673A
<u>PHARMACY</u>	

TO THE DEFENDANT    LOUISIANA CVS PHARMACY, LLC THROUGH ITS REGISTERED  
AGENT: CT CORPORATION SYSTEM 5615 CORPORATE BLVD. SUITE 400B BATON  
ROUGE, LA 70809

You are hereby summoned to comply with the demand contained in the petition/of which a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, in the 27th Judicial District Court in and for the Parish of St. Landry, State of Louisiana, within fifteen (15) days after the service hereof, under penalty of default.

Witness the Honorable the Judges of said Court, this    29TH  
day of JULY, A. D. 2021.

Issued and delivered July 30, 2021

*Hacie Savage*  
Deputy Clerk of Court

REQUESTED BY:    GREG ROZAS

SHELIA A. THIBODEAUX

DOCKET NO. 2102673 DIV. A

VERSUS

27<sup>TH</sup> JUDICIAL DISTRICT COURT

PARISH OF ST. LANDRY

LOUISIANA CVS PHARMACY, L.L.C

STATE OF LOUISIANA

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**PETITION FOR DAMAGES**

NOW INTO COURT, through undersigned counsel, comes Petitioner, **SHELIA A. THIBODEAUX**, a domiciliary of the Parish of Acadia, State of Louisiana, who respectfully represents:

1.

Made Defendant herein is:

**LOUISIANA CVS PHARMACY, L.L.C** (hereinafter referred to as CVS), a domestic Limited Liability Company authorized to do and doing business in the State of Louisiana and which has appointed as its registered agent for service of process: C T Corporation System, 5615 Corporate Boulevard Ste. 400B, Baton Rouge, LA 70809;

2.

Defendant is indebted unto Petitioner for such damages as are to be determined to be reasonable in the premises, together with legal interest thereon, as provided by law and for all costs of these proceedings for the following reasons, to-wit:

3.

On February 6, 2021, Petitioner attempted to obtain prescription medication for her asthmatic condition at defendant Louisiana CVS Pharmacy, L.L.C.'s store number 5292, located at the municipal address of 1013 East Landry Street, Opelousas, LA 70570. Prior to obtaining her medication, Petitioner provided the pharmacy with her appropriate state issued identification and health insurance card(s).

4.

Instead of providing Petitioner with her prescribed asthmatic medication, CVS provided Petitioner with two anti-diabetic medications belonging to a different patient with the same first name.

5.

After ingesting the improperly handled medication for approximately two days, Petitioner experienced syncope brought on by profound hypoglycemia and fell. In addition to the shock of episodic syncope, Petitioner sustained painful neck and back injuries.

6.

Petitioner respectfully shows that Defendant CVS breached the applicable standards of care in its treatment of Petitioner as follows:

1. Failing to verify matching patient identifiers with prescriptions before distributing medication.
2. Failing to notice the error and the mishandling of medication; and
3. Failing to notify the patient of the error in a timely fashion.

7.

Defendant's breaches of the applicable standards of care were a substantial factor in causing the damages suffered by Petitioner since that time.

8.

Because of the breaches of the standard of care by Defendant's employees, Petitioner has suffered and is entitled to damages as follows:

- A. Past and future medical expenses;
- B. Past, present and future physical pain and suffering;
- C. Past, present and future mental pain and suffering; and
- D. Past, present and future lost wages and loss of earning capacity.

9.

Petitioner avers that it may be necessary to employ experts to testify in this matter; that the expert fees should be fixed and taxed as costs; and that Defendant should be condemned to pay all costs, including expert fees.

10.

Upon information and belief, the value of Petitioner's claim necessitates a trial by jury.

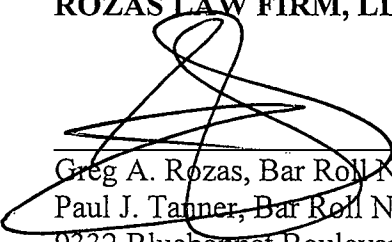
**WHEREFORE**, Petitioner, **SHELIA A. THIBODEAUX**, prays:

- I. That Defendant, **LOUISIANA CVS PHARMACY, L.L.C.**, be served with a copy of this Petition and be duly cited to appear and answer same;
- II. That after due proceedings had, there be Judgment herein in favor of Petitioner in such amount as is determined to be reasonable in the premises, together with legal interest as provided by law and all costs of these proceedings;

- III. That the court fix the fee of each and every expert witness that Petitioner may be required to call or use in connection herewith and to assess same as cost; and
- IV. For all necessary orders and decrees and for all such additional relief as the law, equity and/or nature of the cause may permit.

Respectfully Submitted,

**ROZAS LAW FIRM, LLC**



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Greg A. Rozas, Bar Roll No. 25228  
Paul J. Tanner, Bar Roll No. 34175  
9332 Bluebonnet Boulevard  
Baton Rouge, Louisiana 70810  
Telephone (225) 343-0010  
Facsimile (225) 343-5018

**PLEASE SERVE:**

**LOUISIANA CVS PHARMACY, L.L.C**

*Through its registered agent:*


C T Corporation System

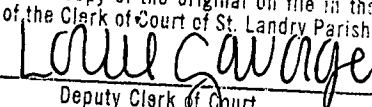
5615 Corporate Boulevard, Suite 400B

Baton Rouge, Louisiana 70809

St. Landry Parish Clerk of Court's Office

Filed 7.29.21

  
\_\_\_\_\_  
Dy. Clerk

OFELOUSAS, LOUISIANA 7.30.21  
This is to certify that the above is a true  
and correct copy of the original on file in the  
office of the Clerk of Court of St. Landry Parish.  
  
\_\_\_\_\_  
Deputy Clerk of Court